



IF YOU WANT TO EMPLOY AN ATTORNEY...

Quite often immigrants, scared of dealing with lots of paperwork and complex legalisation procedures, decide to seek professional help. They employ an attorney – someone to represent them in stay legalisation proceedings. Many attorneys are genuine professionals – but not all of them.



You will certainly find lots of adverts published by people offering assistance with legalisation proceedings. First of all, you should know that according to the Polish law anyone can be an attorney in administrative proceedings – irrespective of their educational background or competences. Because the decision to choose an attorney can influence your future, take it seriously and find out more about the person or company you're planning to entrust your case to.

Not everyone who advertises their services as an attorney is a lawyer (the Polish law doesn't require that). Despite that you should ensure not only that the given person or company has good knowledge of the procedure, but also that they are treating you fairly. Remember that the actions of your appointed attorney will be treated as your own actions and will be fully legally binding.

BENEFITS FROM HAVING AN ATTORNEY:

- A good attorney knows legalisation procedures and can manage your case.
- An attorney will take care of some issues for you (submitting documents, collecting correspondence).

Attorneys are usually appointed in writing (which doesn't necessarily have to be certified by a notary). It is possible to appoint an attorney orally while visiting the governmental office.

WHILE CHOOSING AN ATTORNEY, YOU SHOULD CONSIDER THE FOLLOWING ASPECTS:

• Educational degree

In Poland, only professional attorneys, i.e. people who practise the profession of a solicitor or a legal advisor can guarantee the highest standard of legal assistance provided and the broadest possible scope of protection of legal and economic interests of their clients. That is why the safest option is to employ a solicitor or a legal advisor. These are professions of public trust and people who practise them have documented professional qualifications, an obligation of continuous professional development, their own codes of ethics and mandatory third-party liability insurance. If there is no legal advisor or solicitor available to handle your case, you should employ someone with a higher education degree in law obtained in Poland.

• Experience

Legalisation proceedings involve more than submitting documents and responding to official correspondence. Such procedures are governed by administrative law. Without good

knowledge and understanding of the law, an attorney may do you harm or even lead to an unfavourable, irreversible outcome. That is why apart from a degree in law, you should also check if the person you are considering specialises in administrative law. It's a good idea to ask your chosen solicitor if they have experience in handling cases relating to legalisation of stay.

• Recommendations

It is difficult to know on the basis of an internet publication or advert if you are dealing with a trustworthy person. You should familiarise yourself with feedback from their other clients. But apply some common sense – opinions published online are not always genuine, sometimes they are just a marketing play. A more reliable option is to get recommendations from people you know who have used the services of a given attorney.

• Direct contact

Irrespective of any recommendations, before you decide to choose the services of a potential attorney you should have a meeting with them. Book a consultation and ask any questions you may have. This will at least give you some basic idea of the attitude of the given expert towards their clients and cases managed.

• Attorney's responsibility

Remember that only professional solicitors / legal advisors have mandatory third-party liability insurance. If they make a mistake, you will have an opportunity to seek compensation from their insurance policy. But in case of other attorneys, third-party liability insurance is not mandatory. You can only seek compensation through civil or penal proceedings.

Important! The attorney does not need to keep your passport for the whole duration of the proceedings. Your passport will only be needed at two points of the procedure: while submitting an application and when a stamp needs to be put in the passport to confirm the legality of your stay during the procedure.

• Scope of power of attorney

While establishing a power of attorney you decide what it covers and how long it remains valid. Consider the purpose of appointing an attorney and ensure that you and the attorney both have the same understanding of the scope of the attorney's duties. A power of attorney may only cover submission of an application or handling of the whole procedure up to the point when the final decision is issued. The scope of the power of attorney has financial implications – if it only covers submission of an application, more fees will be charged for the attorney's assistance at subsequent stages of the proceedings and for issuing subsequent powers of attorney.

• Dismissing an attorney

Foreigners have the right to dismiss their attorney anytime – just submit a hand-written declaration to the relevant office or you can even do it orally while visiting the Office.

• Fees

The fee for appointing an attorney for matters relating to legalisation of stay, payable at the governmental Office, is PLN 17 (which does not have to be paid if the foreigner's attorney is their spouse or sibling). The fees for the attorney's work are determined according to their individual price list.

We offer advice and consultations on:

- legalisation of stay in Poland
- work and employment in Poland
- establishing sole proprietorship (self-employment) or a limited liability company
- social and health insurance (ZUS)

We can book you an appointment with:

- a psychologist – for adults and children
- a career advisor
- a lawyer
- business advisor, who offers information on establishing and developing businesses
- an integration assistant

In addition, we are accepting applications for:

- international childbirth classes
- PFM Youth Club (ages 13–17)

Applications +48 692 913 993, +48 22 110 00 85

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Since 2007, we have been supporting
foreigners living in Poland and Poles
living abroad.

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A safe harbour.

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